

Art Unit: 2452

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonard Heyman on May 10, 2010.

The application has been amended as follows:

Please amend claim 36:

36. (Currently Amended) The method of ~~claim 35~~ claim 32, wherein the first VM is determined to have a lower priority than one or more other virtual machines.

Please cancel claim 59:

59. (Cancelled)

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

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Independent claims 1, 32, and 37 recite a combination of features which are not taught, suggested, or rendered obvious by the prior art. The claims recite a method and medium for handling a data transfer request from a first virtual machine of a plurality of virtual machines where the request is handled within a multipath data storage system.

In particular, the prior art does not disclose the combination of features relating to identifying a data request from a particular virtual machine, identifying a plurality of possible paths over which the data can be routed, and then determining information specific to the virtual machine where the specific information indicates a priority of the virtual machine relative to the other virtual machines. Another important feature relates to the selection of the path based on the specific virtual machine information and multipath routing information.

These combination of features are not taught, suggested, or rendered obvious by the prior art. Therefore, independent claims 1, 32, and 37 are allowable. The dependent claims are allowable based on their dependency on their parent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday to Friday [10 am - 6 pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571)272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DOHM CHANKONG/  
Primary Examiner, Art Unit 2452